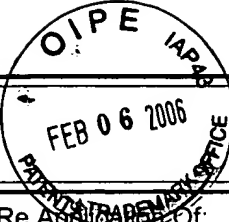


2614



**TRANSMITTAL LETTER
(General - Patent Pending)**

Docket No.
112740-300

In Re Application Of: Gero Base et al.

| Application No. | Filing Date | Examiner | Customer No. | Group Art Unit | Confirmation No. |
|-----------------|--------------------|--------------------|--------------|----------------|------------------|
| 09/963,981 | September 26, 2001 | Michael R. Shannon | 29177 | 2614 | 3320 |

Title: **RADIO TRANSMISSION OF DATA REPRESENTING TELEVISION PROGRAMS**

COMMISSIONER FOR PATENTS:

Transmitted herewith is:

Transmittal Letter in duplicate; Response to Office Action on 2 pages; and return receipt postcard.

in the above identified application.

- ☒ No additional fee is required.
- ☐ A check in the amount of _____ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. **02-1818** as described below.
 - ☐ Charge the amount of _____
 - ☐ Credit any overpayment.
 - ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

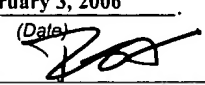
WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.



Signature

Peter Zura (Reg. No. 48,196)
Customer No. 29177

Dated: February 3, 2006

| | |
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| I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to the "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on February 3, 2006 | |
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| Signature of Person Mailing Correspondence | |
| Renee Street | |
| Typed or Printed Name of Person Mailing Correspondence | |

CC:



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Gero Baese
Appl. No.: 09/963,981
Conf. No.: 3320
Filed: September 26, 2001
Title: RADIO TRANSMISSION OF DATA REPRESENTING TELEVISION
PROGRAMS
Art Unit: 2614
Examiner: Michael R. Shannon
Docket No.: 112740-300

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RESPONSE TO OFFICE ACTION

Sir:

In response to the Office Action dated November 3, 2005, Applicant requests reconsideration of the presently-pending application for the reasons as set forth in the following Remarks/Arguments.

REMARKS/ARGUMENTS

Claims 1-14 are pending in the present application. None of the claims were amended in this response. Favorable reconsideration is earnestly requested.

Claim 1-7 and 9-14 were rejected under 35 U.S.C. §102(e) as being anticipated by *Koskelainen* (EP 1113669A2). Claim 8 was rejected under 35 U.S.C. §103(a) as being unpatentable over *Koskelainen* (EP 1113669A2). Applicant respectfully traverses these rejections.

Applicant notes that the publication date of *Koskelainen* is July 4, 2001, which is subsequent to Applicant's claimed priority to German Applications 10047608.2 and 10103291.9 which were filed on September 26, 2000 and January 25, 2001, respectively. Accordingly, *Koskelainen* cannot be considered prior art under 35 U.S.C. §102(e) (see MPEP 2136.06).

In light of the above, the Applicant respectfully submit that claims 1-14 of the present application are patentable over the art of record. Applicants respectfully request that a timely